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Federal Highway Administration
Docket No. 98-3706 - **22**
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Docket Clerk, U.S. DOT Dockets
Room **PL-401**, 400 Seventh Street, SW.,
Washington, DC 20590-000 1

DEPARTMENT OF TRANSPORTATION
98 JUN 18 PM 3:29
DOCKET SECTION



Re: Hours of Service of Drivers; Supporting Documents

To Whom It May Concern:

Alabama Power Company is an electric utility company. We employ approximately 2300 utility service employees that are regulated by the Federal Motor Carrier Safety Regulations. We appreciate the opportunity to comment on the proposed changes to the regulations.

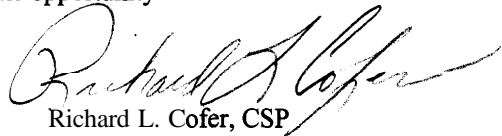
We believe that the hours of service (HOS) regulations were originally intended for driver's whose basic job was to operate a commercial motor vehicle over long distances involving many hours of fatiguing "behind the wheel" time. As stated to the FHWA in many past comments, the HOS requirements are burdensome for many industries such as the electric utility industry that operate specialized vehicles for short distances, have not historically had problem drivers or been a safety risks to the public.

Regarding the proposed changes to the HOS regulations involving additional record keeping requirements and self-monitoring systems we offer the following:

1. What types of self-monitoring systems should be considered in addition to the one proposed here-in?
A. Any means of self-monitoring that would allow carriers to have reasonable assurance of compliance governance with the HOS and RODs should be allowed.
1. What conditions should be imposed upon carriers (such as accident history or out of service history) before the FHWA would authorize a different self-monitoring system?
A. The FHWA should take into consideration not only a carrier's own DOT vehicle accident rate but also certain industry's CMV vehicle accident rates or out of service rates so as to focus these regulations on those areas of commerce that are responsible for making the highways unsafe. Trying to fit the HOS and RODs to all driver's based on the size vehicle they operate is assuming that all industries operate like the cross-country carriers. A minimal DOT vehicle accident rate and out of service rate criteria should be established and the need for additional monitoring should only applies to those companies who do not meet the criteria.
1. Should carriers have some established safety record prior to seeking an alternative monitoring system?
A. Yes, carriers and industries that have established vehicle safety records (considered from a national perspective) should be exempted from the HOS or RODs altogether or allowed to operate within a given radius without burdensome requirements.
4. What must happen before the FHWA should disallow a self-monitoring or alternative system.
A. The FHWA should have some evidence that a carrier does not have an established and effective self-monitoring system either through frequent roadside violations or high vehicle accident rates.
- 5** Is there any other advanced technology systems that the motor industry could use to validate HOS?
A. Yes, but most are cost prohibitive for companies/industries to incorporate, especially for those who operate vehicles short distances and as a very minor part of their work practices.

6. Should waivers be allowed on a case-by case bases if other systems produce equivalent safety results?
- A. **The need for any monitoring system should be based on a carrier's need for monitoring which should be based on viable vehicle accident statistics not weight/size of vehicles driven. A Company should not have to establish a separate time keeping system just for FHWA purposes. Any timekeeping system that would allow creation or re-creation of HOS or ROD information should be allowed.**
7. Under what circumstances should these alternative systems be used to substitute for RODS?
- A. **If the nature of a carrier's or industry's business limits the exposure to public safety and has an adequate commercial motor vehicle safety record any normal time keeping system showing the required information should be considered an alternative system.**
8. What impact would a six-month or longer record of retention requirement have on carriers?
- A. **As written, the requirement would significantly increase the administrative burden of carriers. The greater the paper trail and the longer the retention period, the greater the burden.**
9. Would a longer retention period (> 6months) enhance enforcement and prosecution efforts?
- A. **No. The carriers who are complying can monitor themselves or be monitored using six months of data. Six months of data should be enough for the FHWA to conduct a compliance audit.**

Once again we would like to express our appreciation for **the opportunity** to comment of this docket.



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